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January 7, 2011

## VIA ELECTRONIC MAIL

Laurel E. Henderson, Esquire  
Henderson & Hundley, P.C.  
160 Clairemont Avenue, Suite 430  
Decatur, Georgia 30030

Re: Church of Scientology of Georgia, Inc. v. City of Sandy Springs, Georgia, et al.;  
United States District Court for the Northern District of Georgia, Atlanta  
Division; Civil Action File No. 1:10-cv-0082-CAP

Dear Laurel:

This letter constitutes an offer made with a view to a compromise and shall not be proper evidence in any legal proceeding except as to the issue of attorney's fees, pursuant to O.C.G.A. § 24-3-37.

The Church is adamant in its position that it be treated in the same manner as other churches in Sandy Springs regarding the application of the City's Parking Ordinance Section 18.2.1. Specifically, any parking provided by the Church above the one (1) space per thirty (30) square feet in the largest assembly area shall be additional parking and shall not be considered as required parking for code compliance purposes. The Church is no longer willing to limit the occupancy of the building beyond the fire code requirements; however, in an effort to settle the pending litigation, the Church is willing to agree to conditions of zoning which would require:

1. In addition to the 111 parking spaces shown on the Site Plan, submitted on September 30, 2009, the Church is willing to provide nineteen (19) additional off-site parking spaces in accordance with the following condition language:

Parking shall be provided as shown on the Site Plan received on September 30, 2009. In addition to the 111 parking spaces depicted on the Site Plan, nineteen (19) off-site parking spaces shall be provided within five (5) miles of the property subject to approval of a transportation plan by the Director of the Department of Community Development. Proof of valid off-

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site parking lease(s) shall be provided to the Director of the Department of Community Development by January 31st of each year thereafter. To be considered valid, the off-site parking lease(s) must be for parking spaces, which are not required parking spaces for another use, shall have a minimum thirty (30) day cancellation notice and shall require that a notice of cancellation be provided to the Director of the Department of Community Development. Failure to maintain a current valid lease shall suspend any right to utilize the improvements located on the ground floor (basement) until a new off-site parking lease is provided to the Director of the Department of Community Development containing the conditions stating herein. During any such suspension of use, non-emergency electrical power for lighting of the improvements located on the ground floor (basement) shall be shut off. Compliance with this condition shall be demonstrated via separate metering of non-emergency electrical power for lighting of ground floor (basement) improvements.

Such a condition would be extremely easy to enforce through the use of a separate electrical panel/shutoff for non-emergency lighting for improvements located on the ground floor (basement area). The requirement of a separate sub-meter for non-emergency lighting of the ground floor (basement) improvements would clearly demonstrate compliance with any enforcement action.

2. Since the number of Church staff members seems to be one of the City's major objections, the Church is also willing to limit the number of parking spaces, which can be used by its staff, to ten (10) parking spaces out of the proposed 111 parking spaces.

The Church's preliminary investigation of available off-site parking reveals that there are ten (10) spaces available at Chastain Wellness Studio located at 5491 Roswell Road; ten (10) spaces are available at Gerber & Gerber Law Offices at 5491 Roswell Road; nineteen (19) spaces are available on nights and weekends at Cash, Kugler & Fredericks at 5447 Roswell Road; and nineteen (19) spaces are available during the day at 5395 Roswell Road. There are numerous other sites where parking is available within a five-mile radius.

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The above-referenced compromise represents a less restrictive means of achieving the City's stated objective of ensuring there is adequate parking for the Church and has an effective enforcement mechanism that is easily verifiable. We hope that the City will favorably consider this proposal. We will await your response.

Sincerely,

DILLARD & GALLOWAY, LLC

  
Andrea Cantrell Jones

ACJ/mo

cc: Church of Scientology (*via e-mail*)